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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/787,105	01/17/2002	Kenji Hatada	360842007400	1303

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EXAMINER

KRUER, KEVIN R

ART UNIT	PAPER NUMBER
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1773

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/787,105	Applicant(s) HATADA, KENJI	
	Examiner Kevin R Krueer	Art Unit 1773	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5 and 7-22 is/are pending in the application.
- 4a) Of the above claim(s) 12-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 7-11 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings filed March 14, 2001 are acceptable.

Priority

2. This application is a national stage filing of PCT/JP99/07237 filed 12/22/1999.

Election/Restrictions

3. This application contains claims 12-21 drawn to an invention nonelected without traverse in the reply filed on November 1, 2002. A complete reply to the final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Rule 131 Declaration

4. The declaration filed on March 8, 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the U.S. reference.
5. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the U.S. reference. The U.S. reference (US 6, 3076,093) is relied upon to teach an anchor coat thickness of 0.01-10um. The declaration does not show possession of such a conception prior to the effective date of the U.S. reference. The evidence presented is drawn to an overcoat applied over a deposited layer, not an anchor coat applied between a substrate and a deposited metal layer.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 1, 3, 5, 7-11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mokerji (US 6,096,426) in view of Takemura et al (US 4,763,133) and Pottorff (US 6,113,026).

Mokerji teaches a multi-layer coating comprising a polymeric layer deposited on the surface of the article, a chrome/nickel alloy layer deposited on the polymeric layer and a protective acrylic layer deposited on the alloy layer (abstract). The alloy layer is deposited on the plastic layer by any conventional and well-known technique such as vapor deposition, electroplating, and the like (col 2, lines 63+). The acrylic layer provides the laminate with weather resistance (col 3, lines 57+).

Mokerji does not teach that the reflector should be coated with the claimed polymer resin layer. However, Takemura teaches that industrial paints are widely applied to metals deposited layers in order to provide the metal with improved weather resistance (col 4, lines 64+). Industrial paints include (a) an alkyd resins and (b) polyurethane, and (c) acrylic paints. Alkyd resins are prepared by condensation of polybasic acids and polyhydric alcohols (col 6, lines 4+), including those prepared by modifications using vegetable oils such as linseed oil, tung oil, castor oil, sunflower oil, soybean oil, and coconut oil can be used. Available two-component polyurethane paints are prepared by reacting dry oils (e.g., soybean oils, linseed oils, or castor oils) with a polyester or polyether and further with isocyanate compounds (col 9, lines 1+). It

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would have been obvious to one of ordinary skill in the art to utilize the alkyd industrial paints taught in Takemura as the weather resistant layer taught in Mokerji because said paints are functionally equivalent to the coating layers taught in Mokerji in that they improve the laminate's corrosion resistance.

Mokerji teaches that the weather resistant layer should be applied at a thickness that is effective to protect the underlying metallic layer and obtain the desired appearance (col 4, lines 59+), but does not explicitly teach the claimed thickness. However, it would have been obvious to one of ordinary skill in the art to vary the coating thickness in order to optimize the appearance and weather resistance of the laminate.

Mokerji teaches that the substrate may be plastic, but does not teach that it should be windable. However, Pottorff teaches that plastic materials are typically made windable so that they can be stored as rolls (col 1, lines 15+). Thus, it would have been obvious to one of ordinary skill in the art to make the plastic substrate of Mokerji windable. The motivation for doing so would have been to allow for easy storage.

With respect to claim 9, the examiner takes the position that the iodine value is inherent to the polymer taught in Takemura because it comprises the same oil as utilized in the claimed invention.

With respect to claim 11, the examiner takes the position that the steel sheet has the conductive "property of a metallized film for a capacitor."

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8. Claims 1, 2, 5, 7-11, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujita et al (US 6,376,093) in view of Nakanishi et al (US 3,914,472) and Pottorff (US 6,13,026).

Fujita teaches a polyamide film (abstract). A silicon oxide/aluminum oxide layer may be applied to the polyamide via vapor deposition, sputtering, ion plating, and the like (col 14, lines 20+). An anchor coat may be applied between the polyamide and the vapor deposition layer in order to increase the adhesion strength therebetween (col 15, lines 11+). The anchor coat preferably has a thickness of 0.01-10um (col 15, lines 51+).

Fujita does not teach that the claimed polymer may be utilized as the anchor coat. However, Nakanishi teaches that an alkyd resin could be utilized as an anchor coat between a metallized layer and a polyamide (abstract). The composition comprises 20-95wt% oil modified alkyd resins (col 2, lines 21-63). The oil-modified alkyd resin may be comprised of castor oil or palm oil (see Table 1). The laminate has good adhesion, heat resistance, chemical resistance, and weather resistance (col 2, lines 7+). Thus, it would have been obvious to one of ordinary skill in the art to utilize the alkyd taught in Nakanishi as the anchor coat taught in Fujita in order to improve the laminate's adhesion, heat resistance, chemical resistance, and weather resistance.

Fujita teaches that the substrate may be plastic, but does not teach that it should be windable. However, Pottorff teaches that plastic materials are typically made windable so that they can be stored as rolls (col 1, lines 15+). Thus, it would have been obvious to one of ordinary skill in the art to make the plastic substrate of Fujita windable. The motivation for doing so would have been to allow for easy storage.

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With respect to claim 11, the examiner takes the position that the steel sheet has the conductive "property of a metallized film for a capacitor."

With respect to claim 9, the examiner takes the position that the iodine value is inherent to the polymer taught in Nakanishi because it comprises the same oil as utilized in the claimed invention.

Response to Arguments

Applicant's arguments filed April 8, 2004 have been fully considered but they are not persuasive.

With respect to the rejection based upon the teachings of Mokerji, Applicant argues that the substrate is not windable. However, Pottorff teaches that it would be desirable for the polymeric substrate to be windable for storage purposes. Thus, Applicant's arguments are not persuasive. With respect to the rejections based upon the teachings of Fujita, Applicant argues that the rejection is overcome by the Rule 131 Declaration. However, the declaration is insufficient for the reasons stated above. Thus, the rejection is maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin R Kruer whose telephone number is 571-272-1510. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Thibodeau can be reached on 571-272-1516. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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